

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: By **CHAIRMAN TRUDI SCHMIDT**, on April 9, 2007 at 6:00 P.M., in Room 317-A Capitol.

ROLL CALL

Members Present:

Sen. Trudi Schmidt, Chairman (D)
Sen. Keith Bales (R)
Sen. Gregory D. Barkus (R)
Sen. John Brueggeman (R)
Sen. John Cobb (R)
Sen. Mike Cooney (D)
Sen. Steven Gallus (D)
Sen. Ken (Kim) Hansen (D)
Sen. Bob Hawks (D)
Sen. Rick Laible (R)
Sen. Lane L. Larson (D)
Sen. Dave Lewis (R)
Sen. Greg Lind (D)
Sen. Corey Stapleton (R)
Sen. Bill Tash (R)
Sen. Mitch Tropila (D)
Sen. David E. Wanzienried (D)
Sen. Dan Weinberg (D)
Sen. Carol Williams (D)

Members Excused: None.

Members Absent: None.

Staff Present: Prudence Gildroy, Committee Secretary
Taryn Purdy, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 12, 4/4/2007; HB 63, 4/4/2007;
HB 95, 4/4/2007; HB 125, 4/4/2007;
HB 155, 4/4/2007; HB 160, 4/4/2007;
HB 222, 4/4/2007; HB 368, 4/4/2007
Executive Action: COMMITTEE BILL, HB 3, HB 4, HB 592

00:00:00 Chairwoman Schmidt

HEARING ON HB 12

Opening Statement by Sponsor:

00:00:54 **REP. TIM CALLAHAN (D), HD 21**, opened the hearing on **HB 12**, Generally revise county attorney salaries.

Proponents' Testimony:

00:02:16 Mike Weber, Richland County Attorney, President of County Attorney's Association

00:07:07 Harold Blattie, Executive Director, Montana Association of Counties (MACo)

00:08:40 Larry Fasbender, Deputy Director, Department of Justice (DOJ)

EXHIBIT(fcs74a01)

00:11:22 Fred VanValkenburg, Missoula County Attorney

00:14:38 Gordon Morris, Lewis and Clark County Commissioner, and County Attorney Leo Gallagher

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:15:13 Sen. Laible to Harold Blattie, (MACo)

00:16:13 Sen. Laible to Larry Fasbender, DOJ

Closing by Sponsor:

00:17:09 Rep. Callahan

HEARING ON HB 63

Opening Statement by Sponsor:

00:17:35 **REP. JOHN MUSGROVE (D), HD 34**, opened the hearing on **HB 63**, Actuarially fund teacher retirement system.

Proponents' Testimony:

00:19:28 David Ewer, Budget Director, Office of Budget and Program Planning, Governor's Office (OBPP)

00:27:07 David Senn, Director, Montana Teachers' Retirement System (MTRS)

EXHIBIT(fcs74a02)

00:35:53 Tom Bilodeau, MEA-MFT

00:41:02 Sen. Sam Kitzenberg, SD 18

00:43:56 Jackie Boyle, AARP Montana

Opponents' Testimony:

00:44:40 Rep. Veronica Small-Eastman, HD 42

EXHIBIT(fcs74a03)

00:50:26 Bob Vogel, Montana School Boards Association, and Montana Rural Education Association

00:54:31 Darrell Rud, Executive Director, School Administrators of Montana

00:57:36 Sen. Dave Lewis, SD 42, for Cal Moore, Meagher County Superintendent of Schools

EXHIBIT(fcs74a04)

Informational Testimony: None.

Questions from Committee Members and Responses:

00:58:04 Sen. Barkus to David Senn, MTRS

01:00:12 Sen. Barkus to Rep. Musgrove

01:01:26 Sen. Laible to David Senn, MTRS

01:04:28 Sen. Bales to David Senn, MTRS

01:06:56 Sen. Bales to Rep. Musgrove

01:08:45 Sen. Bales to David Ewer, OBPP

01:12:51 Sen. Bales to David Senn, MTRS

01:14:59 Sen. Laible to David Senn, MTRS

Closing by Sponsor:

01:16:22 Rep. Musgrove

Sen. Cooney will carry HB 63 in the Senate.

HEARING ON HB 95

Opening Statement by Sponsor:

01:17:13 **REP. ALAN OLSON (R), HD 45**, opened the hearing on **HB 95**, Provide increase in employer contribution to optional retirement program.

Proponents' Testimony:

01:19:43 Leonard Bates, MSU Great Falls, College of Technology

EXHIBIT(fcs74a05)

01:24:09 Tom Bilodeau, MEA-MFT

EXHIBIT(fcs74a06)

01:26:34 Rep. John Musgrove, HD 34

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:27:19 Sen. Lewis to Leonard Bates, MSU

01:29:42 Sen. Lind to David Senn, MTRS

01:30:54 Sen. Laible to David Senn, MTRS

Closing by Sponsor:

01:33:46 Rep. Olson

Sen. Lind will carry HB 95 in the Senate.

HEARING ON HB 125

Opening Statement by Sponsor:

01:35:16 **REP. DAVE KASTEN (R), HD 30**, opened the hearing on **HB 125**, Repay loan for startup costs of the defined contribution retirement plan.

Proponents' Testimony:

01:36:41 Scott Miller, Montana Public Employees Retirement System (MPERS)

[EXHIBIT\(fcs74a07\)](#)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:38:58 Sen. Schmidt to Scott Miller, MPERS

01:40:22 Sen. Barkus to Scott Miller, MPERS

Closing by Sponsor:

01:41:19 Rep. Kasten

HEARING ON HB 155

Opening Statement by Sponsor:

01:41:47 **REP. ART NOONAN (D), HD 73**, opened the hearing on **HB 155**, Extend National Guard life insurance reimbursement.

Proponents' Testimony:

01:44:55 Major General Randy Mosley, Adjutant General for the State of Montana, Montana National Guard (MNG)

EXHIBIT(fcs74a08)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:47:38 Sen. Laible to Major General Randy Mosley, MNG

01:48:38 Sen. Laible to Lt. Col. James Moran, Staff Adjutant for
the Montana National Guard, MNG

01:51:10 Sen. Schmidt to Major General Randy Mosley, MNG

Closing by Sponsor:

01:52:19 Rep. Noonan

HEARING ON HB 160

Opening Statement by Sponsor:

01:54:55 **REP. RON STOKER (R), HD 87**, opened the hearing on **HB
160**, Repay land trusts for prior diversions.

Proponents' Testimony:

01:56:13 Rep. John Musgrove, HD 34, and Chairman of Legislative
Audit Committee

01:57:50 Catherine Swift, Montana University System (MUS)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:58:55 Sen. Laible to Rep. Stoker

01:59:37 Sen. Laible to Rep. Musgrove

02:01:20 Sen. Cooney to Rep. Stoker

02:02:47 Sen. Weinberg to Rep. Musgrove

02:03:47 Sen. Tropila to Rep. Musgrove

Closing by Sponsor:

02:05:28 Rep. Stoker

Sen. Laible will carry HB 160 in the Senate.

HEARING ON HB 222

Opening Statement by Sponsor:

02:07:16 REP. LLEW JONES (R), HD 27, opened the hearing on HB 222, Fund economic analysis of irrigated agriculture.

[EXHIBIT\(fcs74a09\)](#)

[EXHIBIT\(fcs74a10\)](#)

Proponents' Testimony:

02:11:47 Sen. Jerry Black, SD 14

02:15:51 Gary Amestoy, Chester Irrigation Project Steering Committee, and West Irrigation Crane District

02:25:25 John Youngberg, Montana Farm Bureau Federation (MFBF), Women Involved in Farm Economics (WIFE)

02:26:07 Mike Murphy, Montana Water Resources Association

02:27:10 Steve Pilcher, Montana Stockgrowers Association

02:28:22 John Semple, Montana Graingrowers Association

02:28:40 Sarah Carlson, Montana Association of Conservation Districts

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

02:29:45 Sen. Lind to Rep. Jones

02:34:34 Sen. Hawks to Rep. Jones

02:36:37 Sen. Cooney to Rep. Jones

02:38:23 Sen. Larson to Rep. Jones

02:40:44 Sen. Laible to Rep. Jones

Closing by Sponsor:

02:44:41 Rep. Jones

HEARING ON HB 368

Opening Statement by Sponsor:

02:46:28 **REP. DENNIS HIMMELBERGER (R), HD 47**, opened the hearing on **HB 368**, Fund televising legislative proceedings.

[EXHIBIT\(fcs74a11\)](#)

[EXHIBIT\(fcs74a12\)](#)

Proponents' Testimony:

02:52:06 Steven Maley, TVMT/Mid-Rivers Cable Television Service (TVMT)

02:57:14 Geof Feiss, Montana Telecommunications Association

03:00:12 Mark Baker, Bresnan Communications

03:01:02 Jodie Foley, Montana Historical Society

03:04:55 Michael O'Brien, for Secretary of State Brad Johnson

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

03:05:39 Sen. Tash to Steven Maley, TVMT

03:07:51 Sen. Lewis to Steven Maley, TVMT

03:10:32 Sen. Hansen to Steven Maley, TVMT

03:13:55 Sen. Schmidt to Rep. Himmelberger

03:14:51 Sen. Schmidt to Jodie Foley, Montana Historical Society

Closing by Sponsor:

03:16:10 Rep. Himmelberger

EXECUTIVE ACTION ON COMMITTEE BILL

Discussion:

03:18:30 Sen. Hawks

03:21:12 **Motion:** SEN. HAWKS moved a COMMITTEE BILL TO CREATE A STUDY RESOLUTION FOR THE INTERIM STUDY ON EDUCATION.

Discussion:

03:21:32 Sen. Weinberg to Sen. Hawks

03:23:02 **Vote:** Motion that a COMMITTEE BILL BE ADOPTED carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 3

03:24:02 **Motion:** SEN. GALLUS moved that HB 3 BE CONCURRED IN.

Discussion:

03:25:36 **Motion:** SEN. GALLUS moved that HB000301.ATP BE ADOPTED.

EXHIBIT (fcs74a13)

Discussion:

03:26:28 Sen. Weinberg to Sen. Gallus

03:28:20 Taryn Purdy, LSD

03:28:52 Sen. Tropila to Sen. Gallus

03:29:49 Sen. Gallus to Mike Ferriter, Director, Montana Department of Corrections (DOC)

03:30:15 **Vote:** Motion that AMENDMENT HB000301.ATP BE ADOPTED carried 17-2 by voice vote with SEN. BARKUS and SEN. STAPLETON voting no. SEN. BARKUS and SEN. COBB voted by proxy.

03:30:28 **Motion:** SEN. TROPILA moved that HB000302.ATP BE ADOPTED.

EXHIBIT (fcs74a14)

03:32:16 **Vote:** Motion that AMENDMENT HB000302.ATP BE ADOPTED carried 17-2 by voice vote with SEN. BARKUS and SEN. STAPLETON voting no. SEN. BARKUS and SEN. COBB voted by proxy.

03:32:37 **Motion/Vote:** SEN. GALLUS moved that HB 3 BE CONCURRED IN AS AMENDED. Motion carried 18-1 by voice vote with SEN. STAPLETON voting no. SEN. COBB voted by proxy.

Sen. Gallus will carry HB 3 in the Senate

EXECUTIVE ACTION ON HB 4

03:33:40 **Motion:** SEN. GALLUS moved that HB 4 BE CONCURRED IN.

03:33:52 **Motion:** SEN. GALLUS moved that HB000401.ATP BE ADOPTED.

EXHIBIT(fcs74a15)

03:34:09 Taryn Purdy, LSD

03:35:28 Sen. Stapleton to Taryn Purdy, LSD

03:36:58 **Vote:** Motion that AMENDMENT HB000401.ATP BE ADOPTED carried 18-0 by voice vote. SEN. COBB voted by proxy. SEN. BARKUS was absent.

03:37:08 **Motion/Vote:** SEN. GALLUS moved that HB 4 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. SEN. COBB voted by proxy. SEN. BARKUS was absent.

Sen. Wanzenried will carry HB 4 in the Senate.

EXECUTIVE ACTION ON HB 592

03:38:20 **Motion:** SEN. GALLUS moved that HB 592 BE CONCURRED IN.

Discussion:

03:38:28 **Motion/Vote:** SEN. SCHMIDT moved that AMENDMENT HB059201.ATP BE ADOPTED. Motion carried unanimously by voice vote. SEN. BARKUS and SEN. COBB voted by proxy.

EXHIBIT(fcs74a16)

Discussion:

03:39:53 Sen. Stapleton

03:40:32 Sen. Stapleton to Sen. Tropila

03:41:33 Sen. Stapleton to Sen. Laible

03:42:29 **Vote: Motion that HB 592 BE CONCURRED IN AS AMENDED carried 12-7 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. LAIBLE, SEN. LIND, SEN. STAPLETON, SEN. TASH, and SEN. WEINBERG voting no. SEN. BARKUS and SEN. COBB voted by proxy.**

Sen. Joe Tropila will carry HB 592 in the Senate.

ADJOURNMENT

Adjournment: 8:00 P.M.

SEN. TRUDI SCHMIDT, Chairman

PRUDENCE GILDROY, Secretary

TS/pg

Additional Exhibits:

EXHIBIT ([fcs74aad.pdf](#))